

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DONALD PAPAY,

Case No.: 07 CIV. 3858 (SCR)

Plaintiff,

vs.

VIRGINIA HASELHUHN as
ASSISTANT EXECUTIVE DIRECTOR,
AMERICAN REGISTRY OF
RADIOLOGIC TECHNOLOGISTS,
RICHARD F. DAINES as
COMMISSIONER, STATE OF NEW
YORK DEPARTMENT OF HEALTH,
ADELA SALAME-ALFIE as DIRECTOR,
STATE OF NEW YORK DEPARTMENT
OF HEALTH -- BUREAU OF
ENVIRONMENTAL RADIATION
PROTECTION (in his official capacity);

**NOTICE OF MOTION TO DISMISS
BY VIRGINIA HASELHUHN AND
THE AMERICAN REGISTRY OF
RADIOLOGIC TECHNOLOGISTS**

Defendants.

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 12(b)(2) and (6), Defendants Virginia Haselhuhn and the American Registry of Radiologic Technologists (“ARRT”), by and through their undersigned attorneys, hereby move this Court, the Honorable Stephen C. Robinson, for an Order dismissing Plaintiff’s Amended Complaint with prejudice, and for such other and further relief as the Court deems just and appropriate. This motion is based on the files and proceedings herein, the Memorandum in Support of Motion to Dismiss by Defendants Virginia Haselhuhn and the ARRT, and the Affidavit of Shari L. Jerde and the exhibits attached thereto.

Dated: October 31, 2007

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By: /s/ Joshua Colangelo-Bryan

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